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Notice of Allowability	Application No.	Applicant(s)	
	09/845,743	FEIST ET AL.	
	Examiner	Art Unit	
	Kevin M Bernatz	1773	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to afterfinal amendment filed 1/20/2005.
2. ☒ The allowed claim(s) is/are 1-6,8,12,15,26-29 and 76-154.
3. ☒ The drawings filed on 01 May 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>02022005</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

- The title has been amended as follows: after "Media", the following phrase/word was inserted: "Utilizing a Substrate Including a Plastic Resin Layer, and Method of Use Thereof".

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Ms. Pamela Curbelo on February 2, 2005.

The application has been amended as follows:

- Claim 100, line 1: the dependency was changed from "Claim 94" to "Claim 99";
- Claim 110, line 1: the dependency was changed from "Claim 84" to "Claim 89"; and
- Claim 141, line 1: before "storage", the phrase "hard disk" was inserted;
 - Claim 141, line 2: after "hard", the word "disk" was inserted; and

- Claim 141, line 10, after "tangential tilt", the following phrase was inserted: ", wherein one of the following conditions are met: (i) said data layer is in physical contact with said plastic film, or (ii) an additional layer having a thickness of less than about 1000 Å is located between said data layer and said plastic film and said additional layer is in physical contact with said plastic film".

Reasons for Allowance

4. The present claims are deemed allowable over the references of record since the references of record fail to disclose or render obvious the claimed combination of limitations present in the independent claims.

While Landin et al. disclose recording media structures comprising substrates with plastic film portions therein, Landin et al. fail to disclose or render obvious the claimed limitations of a data layer directly on a plastic film portion or an additional layer having a thickness of less than about 1000 Å located between said data layer and said plastic film and said additional layer being in physical contact with the plastic film portion.

While Otada et al. and Vierk et al. disclose recording media substrates comprising plastic film portions thereon, neither Otada et al. nor Vierk et al. disclose or render obvious controlling the thickness of the plastic film portions to be less than about 50 μ.

While Chen et al. disclose floppy disks comprising a plastic film portion thereon, Chen et al. fail to disclose or render obvious a hard disk or a disk deemed capable of meeting the claimed axial displacement limitations (i.e. a disk with sufficient rigidity to produce an axial displacement peak of less than about 500 μ under shock and/or vibration excitation when excited by a 1 G sinusoidal loading).

Finally, while Ishida et al. disclose magnetic master media possessing substrates with plastic film portions thereon, Ishida et al. fail to teach or render obvious the utilization of a data layer possessing a coercive force greater than about 1500 Oe.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

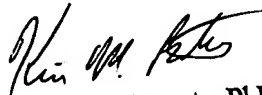
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin M Bernatz whose telephone number is (571) 272-1505. The examiner can normally be reached on M-F, 9:00 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on (571) 272-1535. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KMB
February 2, 2005


Kevin M. Bernatz, PhD
Primary Examiner